

SENATE BILL 660

F3

2lr1851

By: **Carroll County Senators**

Introduced and read first time: February 3, 2012

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Carroll County – Board of Education – Selection of Student Member**

3 FOR the purpose of altering the composition of the Carroll County Board of Education
4 to include a certain nonvoting student member; establishing the qualifications,
5 selection process, and term of the student member; prohibiting a certain student
6 member from attending an executive session of the county board except under
7 certain circumstances; making certain conforming changes; and generally
8 relating to the selection of the student member of the Carroll County Board of
9 Education.

10 BY repealing and reenacting, with amendments,
11 Article – Education
12 Section 3–401
13 Annotated Code of Maryland
14 (2008 Replacement Volume and 2011 Supplement)

15 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
16 MARYLAND, That the Laws of Maryland read as follows:

17 **Article – Education**

18 3–401.

19 (a) The Carroll County Board consists of:

20 (1) Five voting members; [and]

21 (2) **ONE NONVOTING STUDENT MEMBER; AND**

22 (3) The County Commissioners, who are nonvoting ex officio members.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (b) A candidate elected to the county board shall be a resident and registered
2 voter of Carroll County. Any VOTING member who no longer resides in Carroll County
3 may not continue as a member of the board.

4 (c) (1) [Members] **THE FIVE VOTING MEMBERS** of the Carroll County
5 Board shall be elected as follows:

6 (i) Two members of the board shall be elected in the November
7 general election of 1994 and every 4 years thereafter;

8 (ii) Two members of the county board shall be elected in the
9 November general election of 1996 and every 4 years thereafter; and

10 (iii) One member of the county board shall be elected in the
11 November general election of 1998 and every 4 years thereafter.

12 (2) [Members] **VOTING MEMBERS** of the county board shall be
13 elected:

14 (i) At a general election as required by this section; and

15 (ii) On a general countywide ticket.

16 (d) (1) [Each] **EXCEPT FOR THE STUDENT MEMBER, EACH VOTING**
17 member serves for a term of 4 years beginning the first Monday in December
18 immediately following the member's election and until a successor is elected and
19 qualifies. The terms of the VOTING members are staggered as required for the
20 elections to the county board in subsection (c)(1) of this section.

21 (2) The Governor shall appoint a new VOTING member to fill any
22 vacancy on the board for the remainder of that term and until a successor is elected
23 and qualifies.

24 (3) A VOTING member of the county board as of October 1, 1993, and
25 any VOTING member appointed to fill a vacancy in an unexpired term of such
26 member, shall hold office during his term and until a successor is elected and qualifies.

27 **(E) (1) BEGINNING IN THE 2013 – 2014 SCHOOL YEAR, THE STUDENT**
28 **MEMBER SHALL:**

29 **(I) BE A RISING ELEVENTH OR TWELFTH GRADE STUDENT**
30 **IN THE CARROLL COUNTY PUBLIC SCHOOL SYSTEM ELECTED BY THE HIGH**
31 **SCHOOL STUDENTS OF THE COUNTY IN ACCORDANCE WITH PROCEDURES**
32 **ESTABLISHED BY THE SCHOOL SYSTEM;**

- 1 **(II) SERVE FOR 1 YEAR BEGINNING JUNE 1;**
2 **(III) BE A NONVOTING MEMBER; AND**
3 **(IV) ADVISE THE COUNTY BOARD ON THE THOUGHTS AND**
4 **FEELINGS OF THE STUDENTS.**

5 **(2) UNLESS INVITED TO ATTEND BY AN AFFIRMATIVE VOTE OF A**
6 **MAJORITY OF THE COUNTY BOARD, THE STUDENT MAY NOT ATTEND AN**
7 **EXECUTIVE SESSION.**

8 **[(e)] (F)** (1) The State Board may remove a member of the county board
9 for:

- 10 (i) Immorality;
11 (ii) Misconduct in office;
12 (iii) Incompetency; or
13 (iv) Willful neglect of duty.

14 (2) Before removing a member, the State Board shall send the member
15 a copy of the charges against him and give him an opportunity within 10 days to
16 request a hearing.

17 (3) If the member requests a hearing within the 10-day period:

18 (i) The State Board promptly shall hold a hearing, but a
19 hearing may not be set within 10 days after the State Board sends the member a
20 notice of the hearing; and

21 (ii) The member shall have an opportunity to be heard publicly
22 before the State Board in his own defense, in person or by counsel.

23 (4) A member removed under this subsection has the right to a de
24 novo review of the removal by the Circuit Court for Carroll County.

25 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
26 July 1, 2012.